

January 12, 2010



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14935

**EXPIRATION DATE:** December 31, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours & Company, Inc.  
Wilmington, DE
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the one-time, one-way transportation in commerce of certain portable tanks and intermediate bulk containers with visible indications of damage or wear containing the residue of a Class 3 hazardous material for cleaning and repair. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.29 and 173.242 in that damaged portable tanks and intermediate bulk containers not meeting the original specifications are not authorized for transportation, except as specified herein.
5. BASIS: This special permit is based on the application of E.I. DuPont de Nemours & Company, Inc. dated October 6, 2009 and additional information dated December 4, 2009, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Esters, n.o.s.	3	UN3272	II, III
Flammable liquids, n.o.s.	3	UN1993	II, III
Paint and paint related materials <i>including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, liquid lacquer base, paint thinning, drying, removing, or reducing compound.</i>	3	UN1263	II, III
Petroleum distillates, n.o.s. or Petroleum products, n.o.s.	3	UN1268	II, III
Resin solution, flammable	3	UN1866	II, III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are 250 gallon and 500 gallon capacity DOT Specification 57 portable tanks or UN31A intermediate bulk containers containing residue of the materials authorized in paragraph 6 above. The DOT Specification 57 portable tanks or UN31A intermediate bulk containers have some type of visible damage and/or wear. If the damaged area(s) is located such that the failure of the container in that area(s) could result in a slight release, the area(s) must be covered with a high performance lined aluminum foil tape and/or stretch wrap as described in the application on file with the Office of Hazardous Materials Special Permits and Approvals. The tape and wrap shall either be used individually or in combination with each other.

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b. OPERATIONAL CONTROLS:

(1) Only one-time, one-way transportation is authorized using dedicated carriers approved and audited under DuPont's Distribution Safety Program.

(2) The tape authorized for transportation must have a minimum thickness of 40 mils; must be lined aluminum foil backed with a waterproof adhesive. The tape must be applied to the package(s) to prevent release during transportation.

(3) The stretch wrap must be a minimum 90 gauge when used. The wrap must be applied to the package(s) to prevent release during transportation.

(4) After the portable tanks or IBCs are cleaned and repaired, they must be tested and inspected in accordance with the appropriate regulations.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each DOT Specification 57 portable tank or UN31A intermediate bulk container must be plainly and durably marked "DOT-SP 14935" as specified in § 172.302(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie

Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: L Majors